

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 328 - HB 315

March 14, 2015

SUMMARY OF BILL: Authorizes a records custodian to charge a fee for producing records for inspection, if the custodian incurs costs. Requires the Office of Open Records to establish a schedule of charges for records inspection, provided that the records custodian provides the first 25 copies and the first hour of labor free of charge.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Under current law, state and local government records custodians are not authorized to charge a fee for preparing records for inspection.
- Based on information from multiple state-level departments, allowing records custodians to charge a reasonable fee, will to some degree, discourage requests for open records inspections. As a result, there should be a recurring decrease in expenditures for state and local government. However, given the first hour of labor and the first 25 copies are to be provided free of charge under the provisions of the bill; any such reductions in expenditures are assumed to be insignificant.
- The ability for records custodians to charge for inspection after the first hour of labor and after 25 copies have been made will result in a recurring increase in revenue to state and local government. It is assumed that the overwhelming majority of requests can be accommodated within the first hour of labor and that no more than 25 copies will be requested. As a result, any increase in revenue to state and local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding".

Jeffrey L. Spalding, Executive Director

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